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8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 APPROXIMATELY \$9,900.00 IN
U.S. CURRENCY,

15 Defendant.
16

2:20-MC-00155-KJM-CKD

STIPULATION AND ORDER EXTENDING TIME
FOR FILING A COMPLAINT FOR FORFEITURE
AND/OR TO OBTAIN AN INDICTMENT
ALLEGING FORFEITURE

17 It is hereby stipulated by and between the United States of America and potential claimant Robert
18 Schwaner ("claimant"), by and through their respective counsel, as follows:

19 1. On or about April 2, 2020, claimant filed a claim in the administrative forfeiture
20 proceeding with the U.S. Postal Inspection Service with respect to the Approximately \$9,900.00 in U.S.
21 Currency (hereafter "defendant currency"), which was seized on January 27, 2020.

22 2. The U.S. Postal Inspection Service has sent the written notice of intent to forfeit required
23 by 18 U.S.C. § 983(a)(1)(A) to all known interested parties. The time has expired for any person to file a
24 claim to the defendant currency under 18 U.S.C. § 983(a)(2)(A)-(E), and no person other than claimant
25 has filed a claim to the defendant currency as required by law in the administrative forfeiture proceeding.

26 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for
27 forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant
28 currency is subject to forfeiture within ninety days after a claim has been filed in the administrative

1 forfeiture proceeding, unless the court extends the deadline for good cause shown or by agreement of the
2 parties. That deadline was July 1, 2020.

3 4. By Stipulation and Order filed July 22, 2020, the parties stipulated to extend to August 31,
4 2020, the time in which the United States is required to file a civil complaint for forfeiture against the
5 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
6 forfeiture.

7 5. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to further extend
8 to October 30, 2020, the time in which the United States is required to file a civil complaint for forfeiture
9 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
10 subject to forfeiture.

11 6. Accordingly, the parties agree that the deadline by which the United States shall be
12 required to file a complaint for forfeiture against the defendant currency and/or to obtain an indictment
13 alleging that the defendant currency is subject to forfeiture shall be extended to October 30, 2020.

14 Dated: 8/20/2020

McGREGOR W. SCOTT
United States Attorney

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16 By: /s/ Kevin C. Khasigian
KEVIN C. KHASIGIAN
Assistant U.S. Attorney

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19 Dated: 8/20/2020

/s/ Jacek W. Lentz
JACEK W. LENTZ
Attorney for potential claimant
Robert Schwaner

(Signature authorized by phone)

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25 **IT IS SO ORDERED.**

26 Dated: September 4, 2020.

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CHIEF UNITED STATES DISTRICT JUDGE